

CITY OF MORGAN HILL

CITY COUNCIL POLICIES AND PROCEDURES

CP 03-01

SUBJECT: Public Hearing Procedures

EFFECTIVE DATE: August 20, 2003, Amended October 22, 2003
REVIEWED JULY 18, 2007

ORIGINATING DEPARTMENTS: City Manager/City Attorney

POLICY:

The City Council of the City of Morgan Hill is charged with conducting public hearings on various matters, including zoning appeals.

Various interests must be considered in establishing rules for conducting public hearings. Such hearings often draw a large number of people, many of whom wish to address the Council on the matter being heard. However, the time devoted to any one public hearing is subject to constraint because the Council also has other pressing matters it must consider on any particular agenda, as well as other duties and responsibilities outside of Council meetings.

The City Council therefore believes that the following interests should be taken into consideration in establishing rules for the conduct of public hearings:

1. promotion of courteous civic discourse;
2. presentation of relevant information and opinions;
3. the due process rights of applicants; and
4. the limited time available to the Council to hear and consider any one particular matter.

In order to assure that such hearings are conducted in a manner which balances these interests, the Council hereby adopts the following rules of procedure for such hearings.

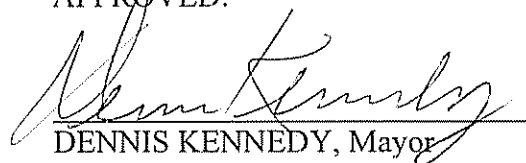
PROCEDURE:

1. Preliminary Announcements. Mayor announces procedures to be followed, including limitations on presentations, as further addressed below.
2. Presentation of Staff Report.
 - A. Explanation of applicant's proposal and action to be taken by the Council.

- B. Review of Planning Commission's analysis and recommendation, if any. Depending on the project, other committees or commissions may have recommendations.
 - C. Staff's analysis of, and recommendation, if any, regarding applicant's proposal.
 - D. Council questions of staff, if any.
3. Public Hearing:
- A. Mayor formally opens public hearing.
 - B. Presentation by applicant. (May be limited to ten minutes, or other time as the Mayor deems appropriate as dictated by the complexity of the proposal).
 - C. Council questions, if any, of applicant.
 - D. Public comment. Mayor may limit time for total public comment, and/or for individual presentations, but will assure that all arguments are given an opportunity to be presented. Mayor may encourage speakers to avoid duplication by combining speaker presentations, and/or by a show of hands in support of or opposition to a particular viewpoint. If there is organized opposition to a project, the Mayor may allow a designated chief opposition spokesperson to make an extended presentation. The Council may ask questions, if any, of speakers.
 - F. Project applicant rebuttal. The time allowed for rebuttal may be extended beyond three (3) minutes in the discretion of the Mayor.
 - G. Public hearing closed.
4. Council Deliberation. Council may make inquiries of staff. However, inquiries to the applicant or others will require re-opening the public hearing.

This policy shall remain in effect until modified. However, the Council may depart from this process in any particular matter upon a majority vote of the Council members present and participating in that matter.

APPROVED:



DENNIS KENNEDY, Mayor